

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

JASON R. MENKES and CHRISTINA D. NENOV,

Plaintiffs,

- against -

BOARD OF MANAGERS OF 561 5TH STREET
CONDOMINIUM, ALISON L. AVERA, RICHARD R.
PURTIICH, LEN PATTERSON SMALL,
TRACY BRESLIN, KIRSTIN A. PURTIICH, MELISSA
WACKS and LEN ROBERT SMALL, all individually
and as members and/or agents of the Board of Managers
of Defendant 561 5th Street Condominium,

Defendants.

X

Civil Action No.:
1:19-cv-03569 (MKB) (VMS)

**STIPULATION OF
DISCONTINUANCE WITHOUT
PREJUDICE AS TO THE
FOURTH CAUSE OF ACTION
AGAINST DEFENDANTS,
RICHARD R. PURTIICH AND
KIRSTIN A. PURTIICH**

C O U N S E L O R S:

X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed, and no person not a party has an interest in the subject matter of the action, that the Fourth Cause of Action in the above-entitled matter be, and the same hereby is discontinued against Defendants, **RICHARD R. PURTIICH** and **KIRSTIN A. PURTIICH**, without prejudice, and without costs or attorneys' fees to any party as against the other.

Dated: New York, New York
June 10, 2020

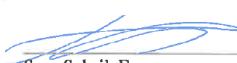
PEDOWITZ & MEISTER, LLP


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Kirstin A. Purtich

**ABRAMS FENSTERMAN, FENSTERMAN,
EISMAN, FORMATO, FERRARA, WOLF &
CARONE LLP**

Randy Faust, Esq.
Co-Counsel for Defendants, Melissa Wacks, Len Robert
Small and Len Patterson Small, and Counsel for Board
of Managers of 561 5th Street Condominium

SO ORDERED:

HON. MARGO K. BRODIE, U.S.D.J.